

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DIRECT REPORT CORPORATION d/b/a
SHAREHOLDER.COM,

Plaintiff,

v.

CCBN.COM, INC., THE THOMSON
CORPORATION, JOHN DOES 1 through 5,
JANE DOES 1 through 5,

Defendants.

Civil Action
No. 04-10535 PBS

**PLAINTIFF SHAREHOLDER.COM'S MOTION TO IMPOUND ITS REPLY TO
DEFENDANTS' AND ROBERT ADLER'S OPPOSITIONS TO ITS MOTION
FOR LEAVE TO AMEND THE COMPLAINT**

Pursuant to Local Rule 7.2, Plaintiff Shareholder.com moves for the impoundment of its Reply to Defendants' and Robert Adler's Oppositions to its Motion for Leave to Amend the Complaint. The reply brief contains information the defendants have designated as "Confidential." Under the parties' Stipulated Protective Order, Shareholder.com is required to seek impoundment of any documents filed with the Court containing "Confidential" information. *See* Stipulated Protective Order [Docket No. 37] at ¶ 14.

Shareholder.com was hesitant to move for impoundment of its reply brief because it does not believe any information included in the brief warrants a "Confidential" designation. In addition, the Court has denied motions to impound Shareholder.com's Motion for Leave to Amend the Complaint and defendants' opposition brief. For these

reasons, Shareholder.com provided its reply brief to counsel for defendants and Mr. Adler in advance of filing, and sought their assent to forego filing this motion to impound. Counsel for Mr. Adler would not assent to the request. Counsel for defendants did not respond to Shareholder.com's inquiry, but given Mr. Adler's position, Shareholder.com is obligated to move for impoundment. Therefore, in the absence of the defendants' and Mr. Adler's agreement, Shareholder.com reluctantly moves for impoundment as required by the Stipulated Protective Order.

Respectfully submitted,

/s/ Melissa C. Allison

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April 19, 2005

LOCAL RULE 7.1 CERTIFICATE

Counsel for Shareholder.com certifies that they conferred with defendants' and Mr. Adler's counsel and were unable to obtain their agreement to file the reply brief without this accompanying motion for impoundment.

/s/ Melissa C. Allison